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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-09-0827 SBA
)	
Plaintiff,)	STIPULATED REQUEST TO SET
)	CHANGE OF PLEA AND SENTENCING
v.)	ON JUNE 15, 2010 AND TO EXCLUDE
)	TIME UNDER THE SPEEDY TRIAL ACT
JASON HART,)	
)	Date: March 23, 2010
Defendant.)	Time: 9:00 a.m.
)	Court: Hon. Sandra Brown
)	Armstrong

The above-captioned matter is set on March 23, 2010 before this Court for change of plea or trial setting. The parties request that this Court vacate that date and set this matter for change of plea and sentencing on June 15, 2010 at 10:00 a.m., and that the Court exclude time under the Speedy Trial Act between March 23, 2010 and June 15, 2010.

The parties have reached an agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure and will submit the proposed plea agreement to the Court at the same time as this stipulation. To allow time for the Court to consider the proposed plea agreement and for the preparation of a pre-plea Presentence Investigation Report by the United States Probation Office, the parties request that this matter be set on June 15, 2010 at 10:00 a.m. for change of

STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON JUNE 15, 2010 & TO EXCLUDE TIME
No. CR-09-0827 SBA

plea and sentencing (assuming the proposed plea agreement is acceptable to the Court). Defendant agrees that the Court may review the pre-plea Presentence Investigation Report even though he has not yet pleaded guilty. Since the proposed plea agreement has been submitted to the Court, the parties further stipulate and agree that the time between March 23, 2010 and June 15, 2010 should be excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement to be entered into by the defendant and the attorney for the government.

DATED: March 31, 2010

/s/

CHRISTINA M. McCALL
Assistant United States Attorney
Counsel for United States

/s/

HARRIS TABACK
Counsel for Jason Hart

The parties jointly requested that status hearing in this matter be vacated and that this matter be set for change of plea and sentencing on June 15, 2010 at 10:00 a.m. The parties further requested that time be excluded under the Speedy Trial Act between March 23, 2010 and June 15, 2010 to allow time for the Court to consider the proposed plea agreement to be entered into by the defendant and the attorney for the government, and to allow time for the preparation of a pre-plea Presentence Investigation Report by the United States Probation Office. Defendant agreed that the Court may review the pre-plea Presentence Investigation Report even though he has not yet pleaded guilty. Good cause appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),

IT IS HEREBY ORDERED that this matter is set for change of plea and sentencing on June 15, 2010 at 10:00 a.m., and that time between March 23, 2010 and June 15, 2010 is excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for

1 consideration by the Court of a proposed plea agreement to be entered into by the defendant and
2 the attorney for the government.

3 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
4 Presentence Investigation Report.

5 DATED:3/23/10

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HON. SAUNDRA BROWN ARMSTRONG
7 United States District Judge
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